

### **REMARKS**

In the Office Action that was mailed on January 11, 2005, claims 1-6, 14-16, 21-23, 30, and 32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hall et al. (U.S. Patent No. 5,974,541) ("Hall"); claims 7-13, 17-18, 24-25, and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hall; claims 19-20 and 33-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hall in view of Cafarelli, III et al. (U.S. Patent No. 6,697,870) ("Cafarelli"); and claims 26-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over hall in view of Liu et al. (U.S. Patent No. 6,341,322) ("Liu"). The foregoing rejections are respectfully traversed.

Claims 1-34 are pending in the subject application, of which claims 1, 7, 14, and 17 are independent claims.

### **Entry of Amendment After Final Rejection:**

The Applicant respectfully asserts that the amendments presented herein require only a cursory review by the examiner, and respectfully requests that the examiner enter such amendments.

### **Amendments to the Claims:**

Claim 10 is amended herein to recite that the initiated task alters the identification of "media on" the removable storage device. Care has been exercised to avoid the introduction of new matter. Support for the amendment to claims 10 may be found in the Specification at page 16, line 7 to page 17, line 2.

### **Rejections of the Claims:**

#### **Differences Between Cited References and the Claimed Invention:**

#### **GPIB Devices in Hall Do Not Anticipate Removable Storage Devices:**

The Applicant thanks the examiner for responding to its arguments that GPIB devices in Hall do not anticipate removable storage devices. However, the Applicant disagrees with the examiner's contention that the GPIB devices in Hall, by virtue of their separability from the computer system, anticipate the removable storage devices. The GPIB devices in Hall are not used as storage devices. When events are generated, an asynchronous callback function is immediately called, which relieves the system

of the need to store events and poll the GPIB devices (see discussion of polling, below). (Hall, col. 5, line 42 – col. 6, line 33). Therefore, the Applicant continues its assertion that the GPIB devices in Hall do not anticipate the removable storage devices in the subject application. The Applicant respectfully requests that the examiner withdraw the rejections thereto.

#### **Hall Teaches Away From Polling:**

Claims 1 and 14 of the subject application both recite polling. Specifically, claim 1 recites “using a device driver, polling a removable storage device associated with the device driver for one or more events corresponding to one or more state changes” and claim 14 recites “a device driver that polls an associated removable storage device for state changes” (emphasis added). In rejecting claim 1, the Office Action cites to column 7, line 67 of Hall as discussing polling. (Office Action, p. 2).

A review of Hall shows that “GPIB driver level software has traditionally been required to poll a device to determine when an event occurs.” (Hall, col. 2, lines 29-31; *see also* col. 4, lines 59-64). However, Hall acknowledges that “[t]his typically requires a large amount of unnecessary processor time, thus consuming value CPU resources. Therefore, a system and method is desired for providing asynchronous event notification in a GPIB system.” (Hall, col. 2, lines 31-35). In the discussion of asynchronous event notification, Hall explains that “[u]sing the ibnotify, or the GpibNotify ActiveX (OLE), function and the asynchronous event notification technique, applications can eliminate wasted processing time associated with using synchronous waits or the polling technique.” (Hall, col. 5, lines 4-8) (emphasis added). While polling is mentioned in other parts of Hall, e.g., the section cited in the Office Action, it is not used in Hall’s asynchronous event notification technique. Clearly, in describing the invention in Hall as including asynchronous event notification (Hall, Abstract), Hall teaches away from polling.

Therefore, claims 1 and 14 are patentably distinguishable over Hall because Hall teaches away from polling. The Applicant respectfully requests that the examiner withdraw the rejections thereto and indicate that those claims and their dependents are allowable.

#### **Lack of Motivation to Modify Hall:**

The Applicant thanks the examiner for responding to its argument regarding the lack of motivation to modify Hall. The Office Action explains that “it is pointed out in Hall reference that the device is being

controlled by the GPIB software application. Such controls are the same as commands or tasks to the device.” (Office Action, p. 8). However, the Applicant notes that the Office Action does not address the Applicant’s assertion that there is not a *prima facie* case of motivation to modify Hall. Specifically, the Applicant argued in its August 19, 2004 Amendment that the Office Action did not present evidence why someone skilled in the art would be motivated to modify Hall. The Office Action continues to assert that someone of ordinary skill in the art “would conclude that the application control the functions of the device by sending commands or tasks to the device, such commands or tasks create event within the device, wherein the events may include a state change.” (Office Action, p. 5). The Office Action fails to make a *prima facie* case of obviousness, because the Office Action still does not address the Applicant’s arguments about the motivation to modify Hall. The Applicant respectfully requests that the examiner provide a more detailed explanation of such motivation per the standards set forth in its August 19, 2004 Amendment or withdraw the rejections.

#### **Dependent Claims 4 and 10:**

Claim 4 recites that “the change notifications include a globally unique identifier.” The Office Action indicates that claim 4 is rejected because “Hall further teaches the change notifications include a globally unique identifier”, citing column 2, lines 50-52 of Hall. (Office Action, p. 3). A closer inspection of Hall reveals that a GPIB device can have a unique descriptor. However, change notifications, as recited in claim 4 and as described in the Specification, for example, at lines 1-3 on page 15, correspond to an event, not a device. In Hall, while a GPIB device may have a unique descriptor, each event does not necessarily have a unique descriptor. In claim 4, as recited herein, change notifications include a globally unique identifier. Hall does not disclose or suggest the same. Therefore, claim 4 recites patentably distinguishing subject matter, and the Applicant respectfully requests that the examiner withdraw the rejection thereof.

Claim 10 is amended herein to correct a typographical error, namely, to recite that “the initiated task alters the identification of media on the removable storage device.” While both the current Final Office Action and the preceding non-final Office Action rejected claim 10 on the same grounds as claim 4 (Office Action, p. 6), claim 10 recites distinct subject matter from claim 4. Specifically, claim 10 refers to the identification of media, while claim 4 refers to change notifications including a globally unique identifier. However, Hall does not disclose or suggest the subject matter of claim 10, either, i.e., the identification of media. Therefore, claim 10 (as amended herein) also recites patentably distinguishing

subject matter, and the Applicant respectfully requests that the examiner withdraw the rejection thereof.

Withdrawal of the foregoing rejections is respectfully requested.

There being no further objections or rejections, it is submitted that the application is in condition for allowance, which action is courteously requested. Finally, if there are any formal matters remaining after this response, the examiner is requested to telephone the undersigned to attend to these matters. If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-2112.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Matthew Q. Ammon', with a long horizontal flourish extending to the right.

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